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Attorneys for Defendant/Counterclaimant/Third-party Plaintiff  
**GREEN TREE SERVICING LLC**

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

5035 VILLAGE TRUST, a Nevada trust,  
  
 Plaintiff,  
  
 v.

XAVIER F. DURAZO, an individual; ANDREA T.  
 GARNICA, an individual; GREEN TREE  
 SERVICING, LLC, a foreign limited liability  
 company; DOE INDIVIDUALS I through X,  
 inclusive; and ROE CORPORATIONS XI through  
 XX, inclusive,  
  
 Defendants.

GREEN TREE SERVICING LLC,  
  
 Counterclaimant,  
  
 v.

5035 VILLAGE TRUST; DOES 1 through 10,  
 inclusive; ROES Business Entities 1 through 10,  
 inclusive; and all others who claim interest in the  
 subject property located at 5035 Village Drive, Las  
 Vegas, NV 89142,  
  
 CounterDefendant.

GREEN TREE SERVICING LLC,  
  
 Third-party Plaintiff,

CASE NO.: 2:15-cv-00747-JAD-NJK

**STIPULATION AND ORDER TO DISMISS  
 THIRD PARTY COMPLAINT ONLY  
 WITHOUT PREJUDICE**

v.

WINTERWOOD RANCH UNIT NO. 1,  
HOMEOWNERS ASSOCIATION, a Nevada non-  
profit corporation; DOES 1 through 10, inclusive;  
ROES Business Entities 1 through 10, inclusive;

and all others who claim interest in the subject  
property located at 5035 Village Drive, Las Vegas,  
NV 89142,

Third-party Defendant.

**STIPULATION AND ORDER TO DISMISS THIRD-PARTY COMPLAINT ONLY**  
**WITHOUT PREJUDICE**

IT IS HEREBY STIPULATED and AGREED by and between Third-Party Defendant  
WINTERWOOD RANCH UNIT NO. 1, HOMEOWNERS' ASSOCIATION, and  
Defendant/Counterclaimant/Third-party Plaintiff GREEN TREE SERVICING LLC, and both  
parties' respective counsel of record, that GREEN TREE SERVICING LLC's Third-Party  
Complaint against Third-Party Defendant WINTERWOOD RANCH UNIT NO. 1,  
HOMEOWNERS' ASSOCIATION ONLY be dismissed *without prejudice*, with each party to bear  
its own costs and attorney's fees.

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1 IT IS FURTHER STIPULATED THAT WINTERWOOD RANCH UNIT NO. 1,  
2 HOMEOWNERS' ASSOCIATION'S Motion to Dismiss (Doc. No. 41.) is withdrawn.

3 IT IS SO STIPULATED

4 DATED this 4<sup>th</sup> day of September 2015

DATED this 4<sup>th</sup> day of September, 2015

5 WOLFE & WYMAN LLP

LEACH JOHNSON SONG & GRUCHOW

7 By: /s/ Colt B. Dodrill

By: /s/ Ryan G. Hastings

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15 Attorneys for Defendant/

**WINTERWOOD RANCH UNIT NO. 1**

16 Counterclaimant/Third-party Plaintiff

**HOMEOWNERS' ASSOCIATION**

17 **GREEN TREE SERVICING LLC**

18 **ORDER**

19 Based on the parties' stipulation and good cause appearing, IT IS HEREBY ORDERED,  
20 ADJUDGED and DECREED that Green Tree Servicing LLC's **third-party claims against**  
21 **defendant Winterwood Ranch Unit No. 1 Homeowners Association are DISMISSED**  
22 without prejudice, each party to bear its own fees and costs.

23 IT IS FURTHER ORDERED THAT Winterwood's Motion to Dismiss [ECF 40] is  
24 **DENIED** without prejudice and as moot.

25 September 8, 2015

26   
27 Jennifer Dorsey

28 United States District Court Judge